

INTERNATIONAL SEARCH REPORT

Inter

Publication No.

PCT/IN 2/05558

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K35/78

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, EMBASE, BIOSIS, PASCAL, CHEM ABS Data, CANCERLIT, SCISEARCH

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 2002/025349 A1 (KATYAR CHANDRAKANT ET AL) 28 February 2002 (2002-02-28) page 2, paragraphs 24-28	1-16
Y	WO 98 05346 A (CHAVALI SAMBASIVA R ;FORSE R ARMOUR (US); BETH ISRAEL HOSPITAL (US) 12 February 1998 (1998-02-12) page 3, line 1 - line 20; claims 1,6	1-16
E	WO 03 017784 A (PRAKASH DHAN ;COUNCIL SCIENT IND RES (IN); PUSHANGADAN PALPU (IN)) 6 March 2003 (2003-03-06) the whole document	1-16
A	GB 2 314 270 A (M S RAPTAKOS BRETT & CO LTD) 24 December 1997 (1997-12-24) claims 1,2	1-8
	--- -/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

° Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

* & * document member of the same patent family

Date of the actual completion of the international search

14 May 2003

Date of mailing of the international search report

28/05/2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Leutner, S

INTERNATIONAL SEARCH REPORT

Inte application No
PCT/IN 02/05558

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>NAGASHAYANA N ET AL: "Association of L-DOPA with recovery following Ayurveda medication in Parkinson's disease." JOURNAL OF THE NEUROLOGICAL SCIENCES, vol. 176, no. 2, 15 June 2000 (2000-06-15), pages 124-127, XP001147413 ISSN: 0022-510X * page 125, 2. Materials and methods *</p>	1-8
A	<p>SOHN Y R ET AL: "Activity of a crude extract formulation in experimental hepatic amoebiasis and in immunomodulation studies" JOURNAL OF ETHNOPHARMACOLOGY, ELSEVIER SCIENTIFIC PUBLISHERS LTD, IE, vol. 54, no. 2-3, 1996, pages 119-124, XP002219680 ISSN: 0378-8741 2. Materials and methods abstract</p>	1-8

INTERNATIONAL SEARCH REPORT

International application No.
PCT/IB 02/05558

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Present claim 1 relates to the following plant extracts: *Sida* sps., *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia*, *Withania somnifera*.

However, the independent claim 9 refers to different plants (*Phyllanthus* sps., *Glycyrrhiza glabra*, *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia*, *Withania somnifera*).

Moreover, claim 11 refers back to claim 9 defining the percentage ratio of several herbs. However, the herbs of claim 11 are different to those of claim 9.

These inconsistencies lead to a lack of clarity (and/or conciseness) within the meaning of Article 6 PCT to such an extent as to render a meaningful search of claims 9-10,12-16 impossible. Consequently, claims 9-10,12-16 have been searched incompletely.

The search has been carried out for those parts of the application which do appear to be clear (and/or concise), namely the combination of the five herbs *Sida* sps., *Boerhaavia diffusa*, *Vitis vinifera*, *Tinospora cordifolia* and *Withania somnifera* and a method for its preparation.

The herbs *Phyllanthus* sps. and *Glycyrrhiza glabra* were not searched because of the inconsistency between claim 1 and 9 and 11 leading to a lack of clarity within the meaning of Article 6 PCT. Claim 9 seems to refer to a plant composition according to claim 11. Thus, the mixture of herbs according to claim 1 and 11 were searched.

Moreover, a mixture of less than 5 herbs lacks support within the meaning of Article 6 PCT since examples 1-8 only refer to a combination of all 5 herbs.

The applicant's attention is drawn to the fact that combinations of only two different herbs would result in a lack of unity since the application would refer to many different herbal compositions, each of them representing a single general inventive concept (Rule 13.1 PCT).

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

Inte Application No
PCT/12/05558

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 2002025349	A1	28-02-2002	NONE		
WO 9805346	A	12-02-1998	US	5683698 A	04-11-1997
			AU	3890297 A	25-02-1998
			EP	0917468 A1	26-05-1999
			WO	9805346 A1	12-02-1998
WO 03017784	A	06-03-2003	WO	03017784 A1	06-03-2003
GB 2314270	A	24-12-1997	IN	179810 A1	13-12-1997